

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

----- x  
IRVING H. PICARD, :  
Plaintiff, :  
- against - : 11-CV-03605 (JSR) (HBP)  
SAUL B. KATZ, et al., :  
Defendants. :  
----- x

**SUPPLEMENTAL DECLARATION OF DAVID C. NEWMAN  
IN SUPPORT OF DEFENDANTS' MOTION TO STRIKE  
THE EXPERT REPORTS AND TESTIMONY  
OF STEVE POMERANTZ AND HARRISON J. GOLDIN**

I, David C. Newman, declare, pursuant to 28 U.S.C. § 1746, that the following is true:

1. I am an attorney with the firm of Davis Polk & Wardwell LLP, attorneys for Defendants. I submit this supplemental declaration in support of Defendants' motion to strike the expert reports and testimony of Steve Pomerantz and Harrison J. Goldin.

2. Attached hereto as Exhibit G is a true and correct copy of excerpts from the deposition of Dr. Steve Pomerantz, taken January 8, 2012.

Dated: New York, New York  
February 16, 2012

/s/ David C. Newman  
David C. Newman